

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to:  
MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 11/14/2006

Signature:

*Melody Almberg*  
(Melody Almberg)

I fw / 8  
Docket No.: 341148020US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Wright et al.

Application No.: 10/750,164

Confirmation No.: 5009

Filed: December 31, 2003

Art Unit: 3737

For: **MARKER LOCALIZATION SENSING  
SYSTEM SYNCHRONIZED WITH  
RADIATION SOURCE**

Examiner: J. M. Kish

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

11/17/2006 RFEKADU1 00000047 10750164

01 FC:1806

180.00 OP

Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

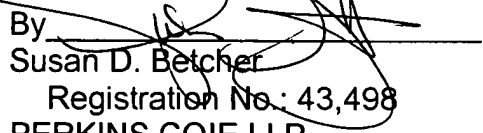
This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information that may be material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

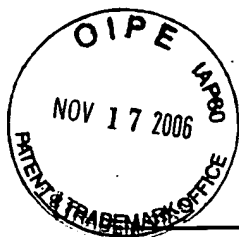
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0665, under Order No. 341148020US.

Dated: 11/13/00

Respectfully submitted,

By   
Susan D. Betcher  
Registration No.: 43,498  
PERKINS COIE LLP  
P.O. Box 1247  
Seattle, Washington 98111-1247  
(206) 359-8000  
(206) 359-7198 (Fax)  
Attorney for Applicant



PTO/SB/08a/b (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/750,164-Conf. #5009
				Filing Date	December 31, 2003
				First Named Inventor	J. Nelson Wright
				Art Unit	3737
				Examiner Name	J. M. Kish
Sheet	1	of	3	Attorney Docket Number	341148020US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		10/416,827 [Filed 11/17/00]		Krag	
		US-2003/0052785	03-20-2003	Gisselberg	
		US-2003/0088178	05-08-2003	Owens et al.	
		US-2003/0192557-A1	10-16-2003	Krag	
		US-2004/0133101	07-08-2004	Mate et al.	
		US-2004/0138555	07-15-2004	Krag	
		US-2004/0158146	08-12-2004	Mate et al.	
		US-2005/0195084	09-08-2005	Dimmer	
		US-2005/0059884	03-17-2005	Krag	
		US-2005/0261570	11-24-2005	Mate et al.	
		US-3,967,161	06-29-1976	Lichtblau	
		US-4,023,167	05-10-1977	Wahlstrom	
		US-4,114,601	09-19-1978	Abels	
		US-4,123,749	10-31-1978	Hartmann et al.	
		US-4,127,110	11-28-1978	Bullara	
		US-4,160,971	07-10-1979	Jones et al.	
		US-4,222,374	09-16-1980	Sampson et al.	
		US-4,260,990	04-07-1981	Lichtblau	
		US-4,393,872	07-19-1983	Reznik et al.	
		US-4,618,822	10-21-1986	Hansen	
		US-4,633,250	12-30-1986	Anderson	
		US-4,643,196	02-17-1987	Tanaka et al.	
		US-4,696,287	09-29-1987	Hortmann et al.	
		US-4,795,995	01-03-1989	Eccleston	
		US-4,799,495	01-24-1989	Hawkins	
		US-4,909,789	03-20-1990	Taguchi et al.	
		US-4,936,823	06-26-1990	Colvin et al.	
		US-4,994,079	02-19-1991	Genese	
		US-5,031,634	07-16-1991	simon	
		US-5,062,847	11-05-1991	Barnes	
		US-5,095,224	03-10-1992	Renger	
		US-5,099,845	03-31-1992	Besz et al.	
		US-5,107,862	04-28-1992	Fabian et al.	
		US-5,142,292	08-25-1992	Chang	
		US-5,170,055	12-08-1992	Carroll et al.	
		US-5,353,804	10-11-1994	Kornberg et al.	
		US-5,409,004	04-25-1995	Sloan	
		US-5,423,334	06-13-1995	Jordan	
		US-5,425,367	06-20-1995	Shapiro	
		US-5,425,382	06-20-1995	Golden et al.	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/750,164-Conf. #5009
				Filing Date	December 31, 2003
				First Named Inventor	J. Nelson Wright
				Art Unit	3737
				Examiner Name	J. M. Kish
Sheet	2	of	3	Attorney Docket Number	341148020US

	US-5,509,900	04-23-1996	Kirkman	
	US-5,528,651	06-18-1996	Leksell	
	US-5,638,819	06-17-1997	Manwaring et al.	
	US-5,680,106	10-21-1997	Schrott	
	US-5,697,384	12-16-1997	Miyawaki et al.	
	US-5,707,362	01-13-1998	Yoon	
	US-5,707,390	01-13-1998	Bonutti	
	US-5,735,795	04-07-1998	Young et al.	
	US-5,764,052	06-09-1998	Renger	
	US-5,769,861	06-23-1998	Vilsmeier	
	US-5,810,851	09-22-1998	Yoon	
	US-5,815,076	09-29-1998	Herring	
	US-5,840,148	11-24-1998	Campbell	
	US-5,868,673	02-09-1999	Vesely	
	US-5,879,297	03-09-1999	Haynor et al.	
	US-5,910,144	06-08-1999	Hayashi	
	US-5,928,137	07-27-1999	Green et al.	
	US-5,951,481	09-14-1999	Evans	
	US-5,989,265	11-23-1999	Bouquet De La Joliniere, et al.	
	US-6,026,818	02-22-2000	Blair	
	US-6,059,734	05-09-2000	Yoon	
	US-6,061,644	05-09-2000	Leis	
	US-6,067,465	05-23-2000	Foo	
	US-6,076,008	06-13-2000	Bucholz	
	US-6,081,238	06-27-2000	Alicot et al.	
	US-6,082,366	07-04-2000	Andra e al.	
	US-6,198,963	03-06-2001	Haim et al.	
	US-6,246,900	06-12-2001	Cosman et al.	
	US-6,307,473	10-23-2001	Zampini et al.	
	US-6,363,940	04-02-2002	Krag	
	US-6,371,379	04-16-2002	Dames	
	US-6,416,520	07-09-2002	Kynast et al.	
	US-6,675,810	01-31-2002	Krag	
	US-6,698,433	10-03-2002	Krag	
	US-6,838,990	01-04-2005	Dimmer	
	US-6,918,919	08-30-2001	Krag	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		DE-19914455	10-26-2000	Siemens AG		
		EP-0531081 A1	03-10-1993	General Electric Company		
		FR-2635259	02-16-1990	Marthan, Erick		
		FR-2686499	07-30-1993	Technomed International		
Examiner Signature				Date Considered		

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/750,164-Conf. #5009
				Filing Date	December 31, 2003
				First Named Inventor	J. Nelson Wright
				Art Unit	3737
				Examiner Name	J. M. Kish
Sheet	3	of	3	Attorney Docket Number	341148020US

	JP-8-166446	06-25-1996	Kubota Corporation		
	WO-95/25475	09-28-1995	Elekt Instrument AB		
	WO-97/12553	04-10-1997	Changus		
	WO-98/30166	07-16-1998	Fabian et al.		
	WO-98/38908	09-11-1998	Schneider Medical Technologies, Inc.		
	WO-98/40026A	09-17-1998	Sonometrics Corporation		
	WO-99/30182	06-17-1999	Northern Digital Incorporated		
	WO-99/33406	07-08-1999	Surgical Navigation Technologies, Inc.		
	WO-99/40869	08-19-1999	The University of Iowa Research Foundation		
	WO-99/58044	11-18-1999	Yoon		
	WO-99/58065	11-18-1999	Krag		
	WO-00/38579	07-06-2000	Vivant Medical, Inc.		
	WO-00/51514	09-08-2000	Lucent Medical Systems, Inc.		
	WO-00/53115	09-14-2000	Rohwedder Visotech GMBH		
	WO-00/65989A	11-09-2000	Biotrack, Inc.		
	WO-02/39917	05-23-2002	Calypso Medical Inc.		
	WO-02/39918	05-23-2002	Calypso Medical Inc.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Hsiao, Kai-yuh, "Fast Multi-Axis Tracking of Magnetically-Resonant Passive Tags: Methods and Applications, Massachusetts Institute of Technology, Dept. of Electrical Engineering and Computer Science, February 2001, 107 pages.	
		Seiler et al., "A novel tracking technique for the continuous precise measurement of tumour positions in conformal radiotherapy," Phys. Med. Biol. 45, 2000, N103-N110, 2000 IOP Publishing Ltd.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--